

MANSFIELD TOWNSHIP COMMITTEE MEETING

May 27, 2020

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star Gazette and Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

This meeting was held on the Zoom platform. The Township Committee and the public were able to remotely hear the meeting audio.

Roll Call: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Salute to the flag was done by all.

A moment of silence was held for all the COVID victims and our first responders.

APPROVAL OF THE MINUTES

Mr. Hayes made a motion to approve the minutes for the Regular Session of May 13, 2020, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mrs. Mora Dillon made a motion to approve the minutes for the Executive Session of May 13, 2020, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

BILL LIST

Mr. Farino made a motion to approve the May 27, 2020 Bill List, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

CLERK'S REPORT

Ms. Hrebenak stated she met with two HVAC companies. Hopefully, by the next Committee meeting, there will be some information about changing the system.

EMPLOYEES' REPORTS

Clerk's Office Window – Mrs. Fascenelli stated the window and hardware will arrive June 3rd with installation the week of June 8th.

Electronics' Recycling Event – Dates have quickly filled up due to virus closings. Saturday openings are not available until November. Mrs. Fascenelli was concerned that the virus may resurface in fall and considered holding the event the end of summer, but only Sunday's are available. She asked the Committee's opinion on holding it on a Sunday. Two (2) DPW Employees are required and will be paid time and a half which is the same as a Saturday. The Committee was concerned about a low turnout on Sunday and decided to have it on a Saturday in November. Mrs. Fascenelli will contact the company tomorrow to schedule.

ENGINEER'S REPORT

Mr. Kastrud has not received money after two emails and a phone call. The DOT is closed and he has received no return calls from Rich Lovelace. He suggested the Freeholders be contacted. Mayor Watters agreed.

PUBLIC PORTION

Mayor Watters opened the public portion of the meeting; seeing none, the public portion was closed.

RESOLUTIONS

Mrs. Mollineaux explained the procedure for voting on the budget.

Resolution 2020-65 – 2020 Introduced Budget

Mr. Hayes made a motion to move on Resolution 2020-65, which was seconded by Mrs. Mora Dillon.

Mayor Watters opened the public portion of the meeting; seeing none, the public portion was closed.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

2020-89
SELF-EXAMINATION OF BUDGET RESOLUTION
[as required by DCA]

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit

municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Mansfield has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2017 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Mansfield that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Mrs. Mora Dillon made a motion to approve Resolution 2020-89, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
Abstain: None

2020-90 Resolution to Amend 2020 Budget

Mr. Hayes made a motion to approve Resolution 2020-90, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
Abstain: None

Resolution 2020-91 – Amended Budget Adoption

Mrs. Mora Dillon made a motion to approve Resolution 2020-91, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
Abstain: None

Mayor Watters stated the budget would be an increase of \$10.00 for the average home.

RESOLUTION NO 2020-92 TOWNSHIP OF MANSFIELD WARREN COUNTY, NEW JERSEY

Resolution of the Township of Mansfield, County of Warren and State of New Jersey, authorizing award of a contract for cleaning services for the year 2020

WHEREAS, the Township of Mansfield is in need of cleaning services for the Municipal Building, 100 Port Murray Road, Port Murray, New Jersey 07865; and

WHEREAS, in accordance with Local Public Contract Law the Township of Mansfield received two (2) quotes from equivalent vendors and also contacted two (2) additional companies for quotes with no response; and

WHEREAS, Allbrite Cleaning Services, LLC., P.O. Box 751, Red Bank, New Jersey, 07701, submitted the lowest quote.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, Warren County, New Jersey, authorize Allbrite Cleaning Services, LLC. to perform cleaning services at the Mansfield Township Municipal building as quoted for \$819.50 per month commencing May 1, 2020 to December 31, 2020.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Donna M. Mollineaux, Chief Financial Officer of the Township of Mansfield, hereby certify that adequate

funds will be made available for cleaning services in the amount not to exceed \$ 819.50 per month. The appropriation will be made available through the following account:

0-01-26-310-0000-4230 Buildings & Grounds \$ 819.50 per month (not to exceed)
(Custodian Expense)

Mrs. Mora Dillon made a motion to approve Resolution 2020-92, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

**RESOLUTION NO 2020-93
TOWNSHIP OF MANSFIELD
WARREN COUNTY, NEW JERSEY**

**Resolution of the Township of Mansfield, County of Warren and State of New Jersey, authorizing
award of a contract for tree removal and stump grinding**

WHEREAS, the Township of Mansfield is in need of tree removal and stump grinding services for a portion of township owned properties; and

WHEREAS, in accordance with Local Public Contract Law the Township of Mansfield received three (3) quotes for this project from equivalent vendors; and

WHEREAS, Advanced Tree Care, 5 Hope Road, Great Meadows, New Jersey 07838, submitted the lowest quote as follows:

Cut and Remove 77 trees on township owned properties	\$ 15,000.00
Grind 77 Stumps	\$ 8,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, Warren County, New Jersey, authorize Advanced Tree Care to perform tree removal and stump grinding services as quoted on township owned properties for a total not to exceed of \$ 23,000.00.

Mr. Farino made a motion to approve Resolution 2020-93, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

**RESOLUTION NO 2020-94
TOWNSHIP OF MANSFIELD
WARREN COUNTY, NEW JERSEY**

**Resolution of the Township of Mansfield, County of Warren and State of New Jersey, authorizing to
award a contract for 30-yard roll-off containers and construction/demolition debris removal**

WHEREAS, the Township of Mansfield is in need of 30-yard roll-off containers and construction/demolition debris removal with regards to the Port Murray Dairy Building, located on Township owned property; and

WHEREAS, in accordance with Local Public Contract Law, the Township of Mansfield received three (3) quotes for this project from equivalent vendors; and

WHEREAS, the contract was awarded to Direct Waste Services, P.O. Box 384, East Hanover, New Jersey 07936 in the amount of \$ 8,932.35.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, Warren County, New Jersey, to authorize Direct Waste Services, P.O. Box 384, East Hanover, New Jersey, 07936 to supply 30-yard roll-off containers and construction/demolition debris removal with regards to the Port Murray Dairy Building not to exceed \$ 8,932.35.

Mr. McGuinness made a motion to approve Resolution 2020-94, which was seconded by Mr. Farino.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

RESOLUTION 2020-95

TOWNSHIP OF MANSFIELD

WARREN COUNTY, NEW JERSEY

WHEREAS, there exists a need for the service of a Municipal Auditor in the Township of Mansfield for auditing services and advice to the Mayor and Township Committee; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1 1-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, in the County of Warren as follows:

1. The agreement with Tom Ferry with the Auditing Firm of Wielkocz & Company, LLC. (formally known as Ferraioli, Wielkocz, Cerullo, & Cuva, P.A.) is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:1 1-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law. A copy of the Agreement is on file for inspection with the Clerk of the Township of Mansfield.
2. This Contract shall not exceed \$ 32,000.00.
3. A notice of this action shall be printed once in the Star-Gazette.

Mr. Hayes made a motion to approve Resolution 2020-95, which was seconded by Mr. Farino.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
Abstain: None

RESOLUTION NO. 2020-96

**TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY**

Authorizing Issuance of Estimated Property Tax Bills

WHEREAS, the Township Committee of the Township of Mansfield has introduced and adopted a municipal budget for 2020 but said budget may not be approved by the State in advance of billing the third quarter taxes that are due on August 1, 2020, within the statutory guidelines; and

WHEREAS, the Township Committee of the Township of Mansfield further finds and declares that Township financial officials have determined that there could be insufficient cash flow to support operations in July and August 2020 unless third quarter revenue is received on time; and

WHEREAS, the Township Committee of the Township of Mansfield further finds and declares that Tax Collector, Joseph L. Guerin, Jr. and Chief Financial Officer, Donna M. Mollineaux, have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and are recommending authorization to issue property tax bills based upon this estimated tax levy;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield as follows:

1. That Mansfield Tax Collector, Joseph L. Guerin, Jr., be and is hereby authorized and directed to prepare and issue estimated tax bills for the Township of Mansfield for the third quarter of 2020, in accordance with the provisions of N.J.S.A. 54:4-66.2, *et seq.*;
2. That the entire estimated tax levy for FY2020 be and is hereby set at \$23,750,297.11; and
3. That Mansfield Tax Collector, Joseph L. Guerin, Jr., be and is hereby authorized to undertake any and all additional steps deemed necessary and appropriate to immediately implement the substance of this Resolution.

Mrs. Mora Dillon made a motion to approve Resolution 2020-96, which was seconded by Mr. Farino.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None

Abstain: None

RESOLUTION # 2020-97
ENDORSEMENT OF REDEEMED MUNICIPAL
TAX SALE CERTIFICATE
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

BE IT RESOLVED, by the Township Committee of the Township of Mansfield that the following Tax Sale Certificate, held by the Township, having been paid and satisfied in full pursuant to N.J.S.A. 54:5-59; the Mayor and Township Clerk are hereby authorized and directed to endorse same for cancellation, affix the Township Seal, and return same to the Tax Collector for delivery to the property owner or legal representative pursuant to N.J.S.A. 54:5-55.

TAX SALE		
CERTIFICATE NUMBER	BLOCK/LOT	AMOUNT
18-00104	2720 / 17	\$ 469.60

Mrs. Mora Dillon made a motion to approve Resolution 2020-97, which was seconded by Mr. Farino.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

RESOLUTION NO. 2020-98

TOWNSHIP OF MANSFIELD
WARREN COUNTY

Granting Paid Sick Leave to Department of Public Works (Machine Operator)

WHEREAS, the Township Committee ("Committee") of the Township of Mansfield ("Township") finds and declares that John Tate, Jr. ("Employee") is an employee of the Mansfield Township Department of Public Works; and

WHEREAS, the Committee further finds and declares that the Employee will be out of work on paid leave as of May 18, 2020 and

WHEREAS, the Committee further finds and declares that the Employee has leave days accrued that could be used for salary compensation during the duration of his paid leave;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield does hereby grant paid leave to Township Employee, John Tate, Jr., during the period of May 18, 2020 through

May 26, 2020; and

BE IT FURTHER RESOLVED that the Township Clerk be and is hereby directed to formally notify the Public Employees' Retirement System of said status and to cause the same to be included in the records maintained for said employee.

Mr. Hayes made a motion to approve Resolution 2020-98, which was seconded by Mr. Farino.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

**TOWNSHIP OF MANSFIELD
COUNTY OF WARREN, STATE OF NEW JERSEY
RESOLUTION 2020-99**

**RESOLUTION REQUESTING GOVERNOR MUPRHY RELEASE DISCRETIONARY FUNDS FOR THE
RELIEF OF COVID-19 EXPENSES IN WARREN COUNTY AND THEIR MUNICIPALITIES**

WHEREAS, the Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress with overwhelming, bipartisan support and was signed into law by the President on March 27th, 2020; and

WHEREAS, the CARES Act provided payments to State, Local, and Tribal governments navigating the impact of the COVID-19 outbreak in the following amounts to counties in NJ:

Bergen	\$162,000,000
Camden	\$88,000,000
Essex	\$139,000,000
Hudson	\$117,000,000
Middlesex	\$143,000,000
Monmouth	\$107,000,000
Ocean	\$105,000,000
Passaic	\$87,000,000
Union	\$97,000,000

WHEREAS, On April 24, 2020, the President signed into law a second federal package of funding intended to provide relief from COVID expenses, known as the "COVID-19 3.5" relief package, which provided the following funds to NJ counties:

Atlantic	\$704,535
Bergen	\$8,310,445
Burlington	\$876,000
Camden	\$2,186,348
Essex	\$4,792,503
Gloucester	\$804,857
Hudson	\$1,874,303

Mercer	\$TBD
Middlesex	\$1,739,905
Monmouth	\$2,348,328
Morris	\$2,182,700
Ocean	\$820,000
Passaic	\$537,434
Somerset	\$646,398
Union	\$4,139,331

WHEREAS, Warren County and their respective municipalities have not yet received any federal funding despite being located in the so-called “hot” region of the COVID-19 outbreak and despite having case counts of Covid higher than many counties that were awarded funds through antiquated and pre-determined formulas; and

WHEREAS, as part of the CARES Act, the State of NJ received certain non-entitlement funding through the CDGB (\$4 million) and ESG (more than \$11 million) that could be used for discretionary needs throughout the state; and

WHEREAS, on April 4, 2020, Congressman Josh Gottheimer and Senator Steven Oroho wrote to Governor Murphy requesting that these discretionary funds be allocated to Warren and Sussex Counties and their respective municipalities; and

WHEREAS, to date plans for those discretionary funds have not been announced; and

WHEREAS, to date Warren County has spent \$919, 849 on operations of a COVID-19 testing facility for New Jersey residents; and

WHEREAS, as part of the plan to re-open the state, the Governor has asked for increased COVID-19 testing, but Warren County’s testing site must cease operations at the end of May due to the total lack of federal or state funding.

NOW, THEREFORE, BE IT RESOLVED, the Township Committee of Mansfield hereby requests that Governor Murphy allocate discretionary funds to the County of Warren for the reimbursement of expenses related to its significant number of Covid-19 cases and to aid with the Governor’s goal of continuing and increasing testing required for the re-opening of the state.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Warren County’s federal delegation with a request for their support and advocacy for New Jersey residents who reside here.

Mr. McGuinness made a motion to approve Resolution 2020-99, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

2020-100

RESOLUTION TO APPROVE APPROPRIATING A CASH MATCH FOR MCCTF GRANT

WHEREAS, the Township Committee wishes to apply for a grant for the Mount Bethel Church renovations;
and

WHEREAS, there is a requirement for a 25% cash match;

NOW THEREFORE BE IT RESOLVED, the Township Committee authorizes the 25% cash match of \$40,000 to be applied from the Open Space Fund if grant moneys are approved.

Mrs. Mora Dillon made a motion to approve Resolution 2020-100, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

ORDINANCES

First Reading

ORDINANCE 2020-08

TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY

AN ORDINANCE TO SET THE MILEAGE REIMBURSEMENT RATE

Be It Ordained by the Township Committee of the Township of Mansfield that the rate of reimbursement for mileage if the use of a privately-owned automobile is authorized or if no Government-owned automobile is available shall be equivalent to the current standard business rate as permitted by the Internal Revenue Service.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield in the County of Warren, State of New Jersey, authorizes mileage reimbursement at a rate equivalent to the current standard business rate as permitted by the Internal Revenue Service.

All ordinances inconsistent with the foregoing shall be deemed repealed by this Ordinance.

This Ordinance shall take effect immediately upon publication as provided by Law.

NOTICE IS HEREBY GIVEN, that the foregoing Ordinance was submitted in writing at a meeting of

the Mayor and Township Committee of the Township of Mansfield in the County of Warren and State of New Jersey, held on the 27th day of May, 2020, and will be considered for final passage, June 24, 2020, at 7:30 p.m. at the Municipal Building in said Township, at which time and place a public hearing will be held thereon by the Governing Body, and all persons and citizens in interest shall have an opportunity to be heard concerning the same.

Mr. Hayes made a motion to approve the first reading of Ordinance 2020-08 with a second reading on June 24, 2020, at 7:30 pm, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

SECOND READING

ORDINANCE 2020-01

TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 240 OF THE TOWNSHIP CODE TO PROHIBIT CERTAIN NUISANCES

ARTICLE 1. NUISANCE PROHIBITED

240-1 Statement of purpose

The purpose of this article shall be to promote the general health, welfare, and safety of the Township of Mansfield and the inhabitants thereof by prescribing certain practices and hazards which are, or maybe, nuisances and to permit the appropriate authorities to take appropriate steps to control the practices herein prescribed.

240-2 Nuisances enumerated

The following matters, things, conditions or acts, and each of them are hereby declared to be a nuisance and injurious to the health, safety, or welfare of the inhabitants of the Township of Mansfield:

A. Noise Prohibited.

- (1) It shall be unlawful for a person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which does or is likely to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others.
- (2) Without intending to limit the generality of Subsection A(1), the following acts are hereby declared to be examples of loud, disturbing, and unnecessary noise in violation of this section:

- a. *Radios; Televisions; Phonographs.* The playing, use or operation of any radio receiving set, television, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of neighboring inhabitants or with louder volume than is necessary for convenient hearing for persons who are in the room, vehicle or chamber in which the machine or device is operated and who are voluntary listeners. The operation of such a set, instrument, phonograph, machine or device so that it is clearly audible at a distance of one hundred (100') feet from the building, structure, or vehicle in which it is located shall be prima facie evidence of a violation of this section.
 - b. *Yelling; Shouting.* Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time or place, which annoys or disturbs the quiet, comfort or repose of persons in any office, dwelling, hotel, motel or other type of residence or of any persons in the vicinity.
 - c. *Animals; Birds.* The keeping of animals or birds which, by causing frequent or long-continued noise, disturbs the comfort or repose of any person in the vicinity; but nothing herein contained is intended to apply to a dog pound or kennel licensed in accordance with Section 123-9 of these ordinances.
 - d. *Horns.* The sounding of a horn or warning device on an automobile, motorcycle, bus or other vehicle except when required by law, or when necessary to give timely warning of the approach of the vehicle, or as a warning of impending danger or persons driving other vehicles or to persons on the street. No person shall sound a horn or warning device on an automobile, motorcycle, bus or other vehicle which emits an unreasonably loud or harsh sound, or for an unnecessary or unreasonable period of time.
- B. Any act, matter, thing, or condition which is or may become detrimental or a menace to the health of the inhabitants of the Township of Mansfield or which is or may become an annoyance or interfere with the comfort or general well-being of the inhabitants of the Township of Mansfield.

256.3 Penalties.

Chapter 1, Article III, Section 1-17 hereof, penalty shall apply.

Mr. Hayes made a motion to approve Ordinance 2020-01, which was seconded by Mrs. Mora Dillon.

Mayor Watters opened the floor for public comment on Ordinance 2020-01.

Scott Minter, 545 Mt. Bethel Road, asked what are the certain nuisances because he doesn't have the Ordinance. Mayor Watters suggested he speak to the Chief. Ms. Hrebenak advised that the Ordinance was included in the paperwork posted with the meeting notice on the website. Mr. Minter stated he will look at it online.

Mayor Watters asked for further comments; seeing none, the public portion was closed.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

2020-02

TOWNSHIP OF MANSFIELD COUNTY OF WARREN STATE OF NEW JERSEY ORDINANCE AN ORDINANCE TO AMEND CHAPTER 329 OF THE CODE OF THE TOWNSHIP OF MANSFIELD

WHEREAS, the Township Committee has conducted a review of the Township Code and of the Codes of other municipalities related to the traffic controls for street and highway construction and maintenance; and

WHEREAS, the Township Committee has determined that it is necessary to amend the Code to address this public safety concern; and

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Mansfield, Warren County, New Jersey, that Chapter 329 entitled "Vehicles and Traffic" of the Code of the Township of Mansfield be and is hereby amended as follows:

SECTION 1. Chapter 329 "Vehicles and Traffic" shall be amended to include a new section to read as follows: §329 Traffic controls for street and highway construction and maintenance operations.

A. Adoption of Manual on Uniform Traffic Control Devices for streets and highways.

(1) The Township Committee hereby finds and declares that problems of traffic control occur when traffic must be moved through or around street construction, maintenance operations and utility work above and below ground which requires blocking the roadway and obstructing the normal flow of traffic; and that such obstructions are or can become dangerous when not properly controlled. In order to better promote the public health, safety, peace and welfare, it is necessary to establish controls and regulations directed to the safe and expeditious movement of traffic through construction and maintenance zones and to provide safety for the work force performing these operations.

(2) The Township of Mansfield in the County of Warren and State of New Jersey does hereby adopt the current Manual of Uniform Traffic Control Devices, hereafter known as MUTCD, except as hereby supplemented and amended, as it controls and regulates whenever construction maintenance operations or utility work obstructs the normal flow of traffic. Any person, contractor, or utility who fails to comply with the provisions of MUTCD while performing such work is in violation of this section.

B. Preconstruction meetings.

(1) It shall be the responsibility of the person, contractor, or in the case of a public utility as required

under the public utility agreement, wishing to conduct work on, under or above the roadway to contact the Administrative Division of the Township of Mansfield Police Department in order to arrange a preconstruction meeting to submit plans for the safe movement of traffic during such period of construction work. Preconstruction meetings must be scheduled far enough in advance (a minimum of two weeks) of the desired start date so as to allow for efficient planning.

(2) Any person, contractor or utility who fails to comply with this section prior to the start of such work or whose plans are not approved by the Township of Mansfield Police Department is in violation of this section.

C. Hazardous conditions. The person, contractor or utility shall provide the Township of Mansfield Police Department with at least two (2) emergency contact phone numbers to be called in case of emergency problems at the construction or maintenance site prior to the start of any work. If for any reason the emergency contact cannot be reached, or if the emergency contact person does not respond in a timely manner to the call from the Police Department to correct a hazardous condition, the Township may respond to correct such hazardous conditions. The reasonable fees for such emergency service by the Township shall be charged to the person, contractor or utility responsible for such conditions.

D. Hours. There shall be no construction, maintenance operations or utility work on any roadway in the Township before the hour of 9:00 a.m. or after 3:30 p.m. This time limit may be adjusted to permit work prior to 9:00 a.m. or after 3:30 p.m. by the Chief of the Township of Mansfield Police Department if it is determined by that officer that the construction or maintenance operations prior to 9:00 a.m. or after 3:30 p.m. would not substantially delay traffic or cause a safety or health hazard.

E. Road closing and detours. Road closing and/or traffic detours shall not be permitted unless approved by the Chief of the Township of Mansfield Police Department. Advance notice of detours must be given to motorists, except in emergent circumstances.

F. Traffic directors. Any person, contractor, or in the case of a public utility as required under the public utility agreement (other than municipal, county or state employees), wishing to conduct work on, above or under on any and all roads in the Township of Mansfield; is working within 200 feet of an intersection of any road within the Township; is working in the vicinity of specific geographic features (e.g., sharp curves, alongside of rivers, steep embankments, etc.); is working within 1,000 feet of a Township of Mansfield Board of Education property; and/or diverts or interrupts motor vehicle or pedestrian traffic flow shall be required to hire off-duty Township of Mansfield police officers or traffic directors to ensure compliance with the MUTCD as well as to control traffic traveling through the work zone. The Administrative Division of the Township of Mansfield Police Department shall be contacted at least 48 hours before starting work to arrange for the hiring of off-duty officers if needed. The number of officers or traffic directors required shall be determined by the Township of Mansfield Police Department and approved by the Chief. For all work on township roads, traffic control shall be by off-duty Township of Mansfield police officers. The requirement to hire off-duty officers for work on, above, below, or adjacent to the township roads shall only apply to work that will take in excess of one hour to complete. All work on, above, below, or adjacent to and/or all of the roads in the Township of Mansfield taking less than one hour, may be controlled with traffic directors, unless off duty Township of Mansfield police officers are deemed necessary by the Police Department and approved by the Chief. All civilian flagmen must wear lime green glow-type traffic vests and must be educated as to the proper operation of traffic flag controls. If flagmen cannot see each other, they must have walkie-talkie communication between them. In the event that work requires any road to be closed to traffic 24 hours a day, the hiring of off-duty Township of Mansfield police officers will be required when it is

deemed necessary by the Police Department and approved by the Chief.

G. Stop work. The Police Department shall have the authority to stop work, including the removal of equipment and vehicles, stored material within the street right-of-way, backfilling of open excavations and/or other related work, in order to abate any nuisance and/or safety hazard or for any violation of this section.

H. Site preparation and maintenance. It is to be expressly understood that no materials, vehicles or equipment are to be placed in roadway or sidewalk area until all construction, signs, lights, devices and pavement markings are installed. All construction signs which do not currently apply must be bagged or removed from view of the motorists (i.e., Flagman Ahead signs after workmen have finished for the day).

I. Violations and penalties.

(1) Any person, contractor or utility who commits a violation of this section shall, upon conviction thereof, for a first offense pay a fine of not less than \$100 nor more than \$500 and/or be imprisoned in the county jail for a term not exceeding 90 days; for a second offense, upon conviction thereof, pay a fine of not less than \$250 and/or be imprisoned in the county jail for a term not exceeding 90 days.

(2) A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION 2. All ordinances or parts of ordinances of the Township of Mansfield inconsistent herewith are repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 4. This law shall take effect immediately upon final passage, approval and publication as required by law.

Mrs. Mora Dillon made a motion to approve Ordinance 2020-02, which was seconded by Mr. Hayes.

Mayor Watters opened the floor for public comment on Ordinance 2020-02; seeing none, the public comment period was closed.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

ORDINANCE NO. 2020-03

**AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN,
STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE TO TRUCKS
OVER FOUR (4) TONS REGISTERED GROSS WEIGHT FROM WASHBURN ROAD**

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, in the County of Warren, State of New Jersey, as follows:

SECTION 1. Section 329-10 of the "Code of the Township of Mansfield is hereby amended by adding thereto in alphabetical order the following NEW additional designations and shall read as follows:

A. Trucks over four (4) tons registered weight are hereby excluded from the following described part of street, except for the pick-up and delivery of materials on such part of street:

1. Washburn Road
2. Snyder Road

The effectiveness of this ordinance contingent upon signs being erected as required by N.J.S.A 39:4-198.

SECTION 2. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies only.

SECTION 3. *If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.*

SECTION 4. This Ordinance shall take effect after final passage and publication in accordance with law.

Mr. Hayes made a motion to approve Ordinance 2020-03, which was seconded by Mr. McGuinness.

Mayor Watters opened the floor for public comment on Ordinance 2020-03; seeing none, the public portion was closed.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
Abstain: None

COMMITTEE REPORTS

Tree Removal – Mr. Farino stated there were 77 trees contracted and seven (7) removed for free for a total of 84 trees.

Foyer and Parking Lot – Mayor Watters stated there are items in the Budget we should be considering: tuning up the foyer and the parking lot. Mrs. Mollineaux stated those funds can be used. She stated they received preliminary quotes when they put the budget together as a jump-off point, but need to get better quotes so we know exactly where we are to move forward. Mr. Farino and Mr. Snyder will handle getting the quotes.

Mrs. Mora Dillon made a motion to adjourn at 7:57 pm.